

## **REMARKS**

This amendment is submitted in response to the Office Action dated August 16, 2005. Claims 1, 8, 9, 17-21, 23-26 have been amended herein, claims 4, 13, and 22 have been cancelled, and claims 1-3, 5-12, 14-21, and 23-26 are currently pending. No new matter has been added.

## **IN THE SPECIFICATION**

At paragraph 1 of the present Office Action, the disclosure referring to FIG. 1 has been objected to. Accordingly, Applicants have reviewed the specification and provided corrections to the description of a “communications interface” as correctly noted by the Examiner. Applicants appreciate the Examiner’s assistance in assuring correctness and integrity of the specification.

## **CLAIMS REJECTIONS UNDER 35 U.S.C. § 101**

At paragraph 2 of the Office Action, Claims 18-26 are rejected under 35 U.S.C. §101 because they are directed to non-statutory matter. Claim 22 has been cancelled for the reasons set forth below, rendering its disposition moot. Claims 18-21 and 23-26 have been amended to recite a “computer-readable medium having encoded thereon computer executable instructions for ...” Applicants believe this amendment addresses the Examiner’s correct observation that the original recitation of a “computer program product” is directed to a computer program per se and therefore non-statutory subject matter under 35 U.S.C. § 101. Applicants respectfully request reconsideration of the rejection in light of the amendment.

## **CLAIMS REJECTIONS UNDER 35 U.S.C. § 102**

Claims 1-26 have been rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Pat. No. 5,286,007, issued to Sakaki, et al. (hereinafter *Sakaki*). Applicants respectfully traverse the foregoing rejections for the following reasons.

Regarding the rejection of independent claim 1, the Office Action asserts on page 3, reference item 6, that *Sakaki* discloses an enable flag (Fig. 2, bit S1) being used to control access to a device (Figs. 1 and 2, Test ROM 17 and ROM 12; col. 5, lines 24-33), and further discloses a persistent enable flag being used to control access to the device on subsequent power-on reset (Fig. 1, bit S2; col. 5, line 34 – col. 6, line 7). Applicants contend that the S1 and S2 bits

disclosed by *Sakaki* are functionally different than the “persistent enable flag” and “pending state change flag” recited in Applicants’ claims. The S1 and S2 bits constitute a single security flag that is monitored by a security flag monitor circuit 25 which reads the two-bit flag when receiving a power-on reset signal and supplying a recognition result to a bus line control circuit (see col. 4, lines 42-61, and col. 5, lines 15-33). Nothing in the description of the two-bit security flag consisting of bits S1 and S2 or elsewhere does *Sakaki* disclose a persistent enable flag that is “write-accessible only in response to a detected power-on reset” as recited in Applicants’ claim 1.

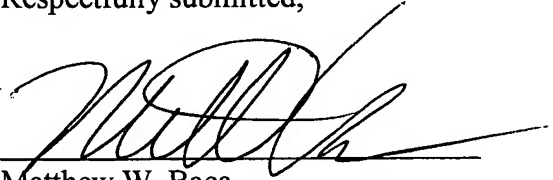
Regarding the grounds for rejecting independent claims 9 and 18, the Office Action asserts on page 4, reference item 12 that *Sakaki* substantially discloses the setting/resetting of persistent and pending flags executed through runtime instructions (col. 5, lines 21-30 and lines 43-47). Applicants agree that at col. 4, lines 58-61, *Sakaki* discloses the basic concept of reading a security flag coincident to receiving a power-on reset signal. Applicants contend, however, that neither in the foregoing passages nor elsewhere does *Sakaki* disclose or suggest a step of, in response to a power-on reset cycle, determining the state of a pending state change flag that is accessible by runtime programs to set an intended next state of a persistent enable flag that enables or disables access to the device and setting or resetting the persistent enable flag in accordance with the state of the pending state flag.

The foregoing traversals notwithstanding, independent claims 1, 9, and 18 have been amended herein to more clearly characterize and distinguish Applicants’ proposed invention from the prior art. Most significant, claims 1, 9, and 18 now expressly recite that “the persistent enable flag is read-only accessible to runtime program instructions” consistent with the intent of the present invention as previously recited in dependent claims 4, 13, and 22 which have been cancelled accordingly.

Regarding the grounds for rejecting claims 4, 13, and 22, Applicants do not contest that in isolation the concept of protecting a flag to be read-only accessible is not novel. However, this access protection characterization in the context of the manner in which the persistent enable flag is utilized and updated by the recited pending state change flag presents a unique apparatus and methodology that is neither disclosed nor rendered obvious by the disclosure of *Sakaki*.

Since *Sakaki* does not teach each feature recited by Applicants' claims, Applicants request issuance of a Notice of Allowance for all claims now pending. Applicants invite the Examiner to contact the undersigned representative of record at 512.343.6116 if such would further or expedite the prosecution of the present Application.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Matthew W. Baca', written over a horizontal line.

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